

U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 SIXTH AVENUE
SEATTLE, WASHINGTON 98101

JUN 06 1989

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REPLY TO
ATTN OF:

SO-125

Timothy J. Hogan, Esq.
Vice President - Legal
Washington Natural Gas Company
815 Mercer Street/Box 1869
Seattle, Washington 98111

Phillip Simon, President
Joseph Simon & Sons, Inc.
2202 East River Street
Tacoma, Washington 98421

Re: Third Amendment to Administrative Order
in EPA Docket No. 1088-09-35-106

Gentlemen:

Enclosed is a conformed copy of the Third Amendment (Amendment) to the Administrative Order issued by the United States Environmental Protection Agency (EPA) in docket no. 1088-09-35-106. The Amendment provides a revised response action schedule which reflects agreements reached between EPA and the Respondents.

Please call me at (206) 442-1797, if you have any questions regarding this matter.

Sincerely

A handwritten signature in dark ink, appearing to read "Richard Mednick".
Richard Mednick
Assistant Regional Counsel

Enclosure

cc: Charles R. Blumenfeld, Esq.
Hearing Clerk (w/original encl.)

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5 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
6 REGION 10

7 IN THE MATTER OF;)

8 JOSEPH SIMON & SONS, INC., AND)
9 WASHINGTON NATURAL GAS COMPANY,)

10 Respondents,)

EPA Docket No. 1088-09-35-106

ADMINISTRATIVE ORDER THIRD
AMENDMENT

11 Proceedings Under Section 106(a))
12 of the Comprehensive)
13 Environmental Response,)
14 Compensation, and Liability)
Act of 1980, as amended by)
the Superfund Amendments and)
Reauthorization Act of 1986,)
42 U.S.C. § 9606(a).)

15 WHEREAS, the United States Environmental Protection
16 Agency (EPA) issued an Administrative Order (Order) to the named
17 Respondents in this matter on September 30, 1988;

18 WHEREAS, EPA issued Amendments to the Order on
19 October 14, and December 1, 1988;

20 WHEREAS, Respondents and EPA have agreed upon an
21 extension of the schedule for implementation of response actions,

22 NOW, THEREFORE, the ORDER is hereby AMENDED as
23 follows:

24 RESPONSE ACTIONS

25 17. Based upon the foregoing Findings and
26 Determinations, Respondents are hereby ORDERED and DIRECTED as
27

1 follows:

2 m. The following remedial work shall be
3 performed:

4 iv. Respondents shall commence the pilot
5 scale treatability study on-Site by no later than
6 August 17, 1989.

7 v. Respondents shall submit to EPA the
8 completed final designs for the RD for review and approval by no
9 later than April 20, 1990.

10 vi. Respondents shall commence the remedial
11 action, including award contract, and begin field construction
12 on-Site by no later than August 23, 1990.

13 vii. Respondents shall complete construction
14 of the remedial action by no later than September 26, 1991.

15 All other provisions of the ORDER issued on
16 September 30, 1988, and the Amendments issued on October 14, and
17 December 1, 1988, shall remain in effect as set forth therein.

18 This THIRD AMENDMENT is hereby issued at Seattle,
19 Washington, this 6th day of June, 1989.

20 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

21
22 By: Randall F. Smith
23 ~~for~~ CHARLES E. FINDLEY, Director
24 Hazardous Waste Division
25 EPA, Region 10
26 Seattle, Washington 98101
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